

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GENERAL REFRACTORIES COMPANY : CIVIL ACTION
:
v. : No. 04-3509
:
FIRST STATE INSURANCE COMPANY, et al. :

FILED

MAY 29 2015

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, this 29th day of May, 2015, upon consideration of the parties' respective papers and the record,¹ it is hereby **ORDERED** that "Defendant's Motion to Preclude Admission of Plaintiff's Summary Evidence" (doc. no. 650), which was submitted by Defendant Travelers Casualty and Surety Company, f/k/a The Aetna Casualty and Surety Company (collectively, "Travelers"), is **DENIED**.

It is further **ORDERED** and **DECLARED** that Plaintiff General Refractories Company's proffered trial exhibits – the "Claims Database" and the "Queue," as identified in the Memorandum that accompanies this Order – are summaries of business records admissible under the Federal Rules of Evidence, Rules 803(6) and 1006, subject to their proper authentication by a records custodian or another qualified witness, and subject to proper, specific objections at trial.

BY THE COURT:


L. FELIPE RESTREPO
UNITED STATES DISTRICT JUDGE

¹ Defendant's Motion and Brief (doc. nos. 650, 650-1), with Exhibits ("Exs.") 3-5 (doc. nos. 650-3 through 650-7); Plaintiff's Response (doc. no. 656); Affidavit of Michael Conley, dated Apr. 17, 2015 (doc. no. 646), with Exs. 1-8 (doc. nos. 646-1 through 646-8); Declaration of Michael Conley, dated May 1, 2015 (doc. no. 657), with Exs. A-K (doc. nos. 657-1 through 657-11); Affidavit of Michael Conley, dated Sept. 16, 2011, with Exs. 1 and 2 (doc. no. 364), and Defendant's Reply (doc. no. 659).